IN THE UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF VIRGINIA

Alexandria Division

COALITION FOR TJ,)
Plaintiff,)
v.) Civil No. 1:21-cv-00296-CMH-JFA
FAIRFAX COUNTY SCHOOL BOARD, and DR. SCOTT BRABRAND, in his official capacity as Superintendent of the Fairfax County School Board,))))
Defendants.	,)

DEFENDANTS' MOTION TO DISMISS UNDER RULES 12(b)(1) AND 12(b)(6)

Defendants Fairfax County School Board and Dr. Scott Brabrand, in his "official capacity," by counsel and pursuant to Federal Rule of Civil Procedure 12(b)(1) and 12(b)(6), for the reasons stated in the accompanying brief, move to dismiss the complaint against them on the grounds that (1) plaintiff Coalition for TJ lacks associational standing; (2) the complaint fails to state a claim under 42 U.S.C. § 1983 for a violation of the Equal Protection Clause; and (3) the claim against Dr. Brabrand in his "official capacity" is the same as a suit against the School Board and is therefore duplicative.

Respectfully submitted,

FAIRFAX COUNTY SCHOOL BOARD and DR. SCOTT BRABRAND in his "official capacity" as Superintendent

By:	/s/
	Stuart A. Raphael (VSB No. 30380)
	Sona Rewari (VSB No. 47327)
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Counsel for Defendants

CERTIFICATE OF SERVICE

I hereby certify that on April 29, 2021, I electronically filed this document with the Clerk of the Court using the CM/ECF system, which will send a notification of such filing (NEF) to counsel of record for all Parties.

By:	/s/	_
	Stuart A. Raphael (VSB No. 30380)	